

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-7, 9, 16-24, and 46-67 are pending in the application, with claims 1, 16, 46, 53, and 65 being the independent claims. No amendments have been made.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Priority

The Examiner has noted that the present application 09/864,293 is a Continuation-In-Part (CIP) of Applications 09/559,964 and 09/393,390. The Examiner has alleged that this Application, 09/864,293, does not benefit from an earlier filing date due to inadequate support. Applicants elect not to substantively respond to the Examiner's contentions at this time, but reserve the right to do so in the future.

Rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 6, 7, 9, 16, 17, 19, 21, 22, 24, 59-64, 66, and 67 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,516,341 to Shaw et al. ("Shaw") in view of U.S. Patent No. 5,848,396 to Gerace ("Gerace"). Claims 3, 5, 18, and 20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shaw in view of Gerace in view of U.S. Patent No. 5,794,210 to Goldhaber et al. ("Goldhaber"). Claim 50 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shaw in view of Gerace in view of U.S. Patent No. 6,332,127 to Bandera et al. ("Bandera") in view of Goldhaber. Claims 23, 46-54, and 65 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shaw in

view of Gerace in view of Bandera. Claims 57 and 58 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shaw in view of Gerace in view of U.S. Patent No. 5,933,11 to Angles et al. (“Angles”). Applicants respectfully traverse the rejections.

Independent claim 1 recites features that distinguish over the applied references. For example, claim 1 recites “generating tracking data representative of a browsing activity of the user while using the device...” and “storing the tracking data on the device.” The applied references do not teach or suggest these features of claim 1.

On page 16 of the Office Action, the Examiner alleges that FIGS. 5 and 6, Col. 23, lines 25-32, and Col. 19, lines 15-35 of Shaw disclose tracking browsing activity. As Applicants argued on pages 18-19 of the Amendment and Reply filed May 12, 2009, and to which the Examiner did not respond in the Response to Arguments section on pages 26-27 of the Office Action, these portions of Shaw describe advertisement statistics and an event log, neither of which teaches or suggest tracking data that is “data representative of a **browsing activity** of the user while using the device,” as recited in claim 1.

Moreover, on page 16 of the Office Action and in the Response to Arguments section on pages 26-27 of the Office Action, the Examiner alleges that Col. 12, lines 25-60, Col. 6, lines 25-40, and Col. 7, lines 5-20 of Shaw teach or suggest storing tracking data on the device. These portions of Shaw describe storing user responses to a questionnaire, advertisement statistics, and client program statistics on a device. None of these types of data, however, are “data representative of a **browsing activity** of the user while using the device,” and therefore these portions of Shaw do not teach or suggest “storing the **tracking data** on the device,” as recited in claim 1.

Thus, Shaw does not teach or suggest “generating tracking data representative of a browsing activity of the user while using the device...” and “storing the tracking data on the device,” as recited in claim 1. Furthermore, Gerace, Goldhaber, Bandera, and Angles do not cure the deficiencies of Shaw. Thus, Applicants assert that claim 1 and its dependent claims are patentable over the applied references. Furthermore, independent claims 16, 46, 53, and 65 recite similar distinguishing features as independent claim 1. Thus, claims 16, 46, 53, and 65 and their respective dependent claims are patentable over the applied references at least in view of the remarks above, and further in view of their own respective features.

Claims 66 and 67

Claims 66 and 67, which depend from independent claim 1, recite features that further distinguish over the applied references. For example, claim 66 recites “wherein the synchronization token is a value that is compared to values stored at the server to determine a state of data on the device,” and claim 67 recites “receiving a second synchronization token from the server, wherein a value of the second synchronization token is larger than a value of the first synchronization token and wherein the second synchronization token is indicative of the content received from the server.”

On page 18 of the Office Action, the Examiner alleges that Col. 6, lines 25-40 and Col. 7, lines 7-20 of Shaw teach or suggest the features of claim 66. The cited portions of Shaw describe advertisement statistics, such as which advertisements are shown to a user and client statistics, such as when a user activates the client program. Neither of the advertisements or client statistics teaches a synchronization token, as

recited in claim 66 at least because neither is a value or includes a value that is compared to stored values to determine a state of data on the device.

On page 18 of the Office Action, the Examiner alleges that Col. 19, lines 47-59, Col. 2, lines 35-42, Col. 5, lines 20-28, Col. 7, lines 20-28, Col. 13, lines 40-50, and Col. 16, line 65-Col. 17, line 5 of Shaw teach or suggest the features of claim 67. The cited portions of Shaw describe sending advertisements to receivers and having the receiver replace advertisements once the advertisements have expired. None of the cited portions of Shaw, however, teach or suggest a second synchronization token, as recited in claim 67, at least because none of the cited portions of Shaw teach or suggest a value that is indicative of content received from a server.

Thus, Applicants assert that claims 66 and 67 recite additional features that distinguish over the applied references.

Accordingly, Applicants respectfully request that the rejections of claims 1-7, 9, 16-24, and 46-67 be reconsidered and withdrawn.

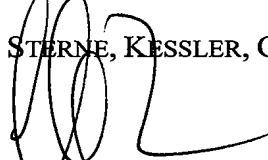
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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